MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
REGULAR CITY COUNCIL MEETING
THURSDAY DECEMBER 1, 2016
7:00 P.M.

CALL TO ORDER

BE IT REMEMBERED that, on the above date, the City Council of the City of Alvin, Texas, met in regular session at 7:00 P.M. in the Council Chambers at City Hall, with the following members present: Mayor Paul A. Horn, Mayor Pro-tem Gabe Adame; Council members: Adam Arendell, Brad Richards, Scott Reed, Chris Sanger, Glenn Starkey, and Keith Thompson.

Staff members present: Sereniah Breland, City Manager; Bobbi Kacz, City Attorney; Junru Roland, Assistant City Manager/Chief Financial Officer; Dixie Roberts, City Clerk; Larry Buehler, Director of Economic Development; Dan Kelinske, Parks and Recreation Director; and Robert Lee, Police Chief.

INVOCATION AND PLEDGE OF ALLEGIANCE

Judy Zavala gave the invocation.

Council member Richards led the Pledge of Allegiance to the American Flag.

Council member Reed led the Pledge to the Texas Flag.

PUBLIC COMMENT

Eugene Bauer spoke before City Council regarding external departmental reviews, the Mustang Road construction and SH Bypass 35 and FM 1462 and SH Bypass 35.

CONSENT AGENDA.

A. Approve minutes of the October 3, 2016 City Council special meeting.

B. Approve minutes of the November 17, 2016 City Council workshop.

C. Approve minutes of the November 17, 2016 City Council regular meeting.

D. Consider the purchase of Axon Body Camera System for use by the Police Department in an amount not to exceed $47,000.

In 2013 Alvin PD was the first agency in the region to equip and require use of body cameras for all patrol officers. The camera's purchased at the time, VIEVU, had just been acquired by L3 Corporation which also manufactured the in-car camera systems used by APD which allowed for quick integration. In the last 18-24 months' issues with the VIEVU system have increased in part due to L3 subsequently reselling the VIEVU system, and the lack of system advancement/development. Issues such as time-synching, video loss due to activation speed, video quality, service, storage, redaction capability, download time and other issues have increasingly presented a problem. L3 began developing their own bodycam (L3BC) after selling VIEVU, however the L3BC (which we purchased a limited number of) mirrors the VIEVU issues that have arisen, plus has a shorter battery life. To continue with the VIEVU system, under the new company, will require purchase of new camera's and a new storage system (including their proprietary software system). This would exceed $50,000 for initial cost for camera's alone. To continue with the L3BCs would require purchasing new cameras to replace the no longer supported VIEVUs along with an additional 10-15 for spares due to battery life. This would result in a cost of approximately $33,000 but the issues would remain. We have spent over $37,000 in the last two fiscal years maintaining the L3 systems and foresee a continuation of expense if this system is not replaced.

New systems were researched and the Taser Axon system was selected and units were tested for 30-days. The test results indicated a solution for the majority of issues having been encountered with the current system while offering better video quality and software/hardware support. An initial cost of $45,684.00 will cover 53 new cameras, software, storage and hardware/software support. This change would eliminate most, if not all, of the current issues with the additional advantage of an automatic software/hardware upgrade every 2.5 years that we remain with the system. Attached is the comparison between the systems which detail the issues with the current system and the solutions offered by the Axon system.

Beginning the second year after purchase the Axon system has a yearly maintenance/upgrade/repair fee of $29,664 (equates to just under $2,500 per month) which is based on the number of cameras and projected storage needs. Our current system has a yearly licensing cost of just under $5,000 which does not include storage, replacement, repair, upgrade or the cost of the third party systems we use for copying, dissemination and redaction. We spent in excess of $14,000 in fiscal year 2015 on VIEVU/L3BC hardware repair/replacement alone. These monies will be dedicated to the Axon System yearly fees.

Our in-car L3 systems have developed many of the same issues as the VIEVU and L3BC systems. If the purchase of the Axon body camera system is approved, we plan on migrating completely away from the L3 system over the next 24-36 months by replacing the current in-car cameras as they fail with the Axon in-car version.

E. Consider Resolution 16-R-29; suspending the December 21, 2016 effective date of the statement of intent of CenterPoint Energy to increase rates within the Houston and Texas Coast divisions and consolidate the Houston and Texas Coast divisions to permit the city time to study the request and to establish reasonable rates; finding that the city's reasonable rate case expenses shall be reimbursed by the company; authorizing participation with the Gulf Coast Coalition of Cities; hiring legal and consulting services to negotiate with the company and direct any necessary litigation and appeals; finding that the meeting at which this resolution is passed is open to the public as required by law; and requiring notice of this resolution to the company and legal counsel.

The City is a gas utility customer of CenterPoint and a regulatory authority with an interest in the rates and charges of CenterPoint. The City is authorized to protect the interests of the City and CenterPoint customers residing in the City. The City retains its rights as a city with original jurisdiction including the right to suspend a rate increase application filed by CenterPoint.

On November 16, 2016, CenterPoint Energy Resources d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas ("CenterPoint") filed a Statement of Intent seeking to increase natural gas rates to all customers residing in its Houston and Texas Coast Divisions. CenterPoint has also proposed to consolidate the Houston & Texas Coast Divisions into one Texas Gulf Division. In its filing, CenterPoint asserts that it is entitled to a $31 million increase in the Cities or a 10.4% increase over current adjusted revenues, excluding gas costs.

The law provides that a rate request made by a gas utility cannot become effective until at least 35 days after the filing of the application to change rates. CenterPoint has proposed an effective date of December 21, 2016. The law allows the City to suspend the rate change for 90 days after the date the rate change would otherwise be effective. If the City fails to take some action regarding the filing before the effective date, CenterPoint's rate request is deemed administratively approved.

The purpose of this resolution is to extend the effective date of CenterPoint's proposed rate increase to give the City time to review and investigate the rate-filing package. The resolution will suspend the December 21, 2016 effective date of CenterPoint's rate increase for the maximum period permitted by law to allow the City to evaluate the filing, determine whether the filing complies with the law, and if lawful, to determine what further strategy to pursue, including settlement and ultimately to approve reasonable rates.

F. Consider Ordinance 16-BB; amending the City of Alvin 2015-2016 Fiscal Year-End budget (FY16) by increasing (decreasing) certain expenditures and increasing (decreasing) certain revenues to the individual budget accounts in all funds set forth in the attached Exhibit A.

Each fiscal year, the City amends the budget twice. In the Spring (mid-fiscal year), the city amends the budget to appropriate any prior year budget surplus to fund new capital items. In the Fall (fiscal year-end), the City amends the budget to appropriate or adjust (authorized/approved) revenues and/or expenditures which occurred during the year that were not originally budgeted. Reason being, under certain circumstances, staff has more definite revenue and cost information at year end.

FY16 has ended and staff needs to make budget adjustments as a way to put the final FY16 budget in line with actual (approved and/or authorized) revenues and expenditures for financial reporting purposes. Per the City's auditor's recommendation, the City should do a batch budget amendment at the end of the fiscal year to capture expenditures and/or revenues from the year that require a budget amendment.

General Fund Year End Budget Adjustment:
Section 380 Agreement adjustment: October, 2012 (Resolution 12-R-31) City Council approved a 7-year 380 Agreement with Team Industrial Inc. to build a 50,000 square foot addition to Team Industrial Inc.'s current facility; and other real property improvements and additions, in exchange for a rebate of property taxes. For budgeting purposes, the city adjusts (reduces) the property tax revenue budget in lieu of the rebate payment to Team Industrial. For financial reporting purposes, the auditors require that the rebate to Team Industrial Inc. be recognized as an expenditure (instead of a reduction of revenue). This budget amendment adjusts the FY16 year-end budget to reflect the auditor's recommendation.

Community Development Block Grant (CDBG): *The City received and used grant funds for park improvements. The CDBG funding agreement was approved by city council on February 5, 2015. This budget amendment adjusts the revenue and expense budgets to reflect the receipt and use of CDBG funds.*

Special Investigation Fund Year End Budget Adjustment:
This fund receives a share of money and property seized during drug related arrest. In compliance with federal/state law, a portion of these proceeds were used in FY16 for public safety equipment and training of officers. This budget amendment adjusts the FY16 expense budget to reflect the use of the Special Investigation Fund for public safety.

Park Land Dedication & Development Fee Fund Year End Budget Adjustment:
In FY16, the city received park land dedication fees in accordance with the city's Park Land Dedication and Development Fee Ordinance. Park Land Dedication Fees were used to fund the construction of a pavilion at Talmadge Park (approved by city council on September 3, 2015). This amendment adjusts the FY16 Park Land Dedication and Development Fee Fund budgets to reflect the receipt of fees and the expenditure for the pavilion.

Donation Fund Year End Budget Adjustment:
In FY16, the City received donations from: 1.) Waste Connections (per contract); 2.) the Estate of Diane Collins (accepted by city council on February 18, 2016, per Resolution 16-R-06); and 3.) Sunrise Rotary (per contract, approved by city council 12/18/2014; per Resolution 14-R-37). The donations were used in accordance with the donor's request. This budget amendment adjusts the FY16 revenue and expenditure budgets to reflect the receipt and use of donation proceeds.

Item D was removed from the consent agenda for discussion.

Council member Adame moved to approve the consent agenda excluding Item D as presented. Seconded by Council member Sanger; motion to approve carried on a vote of 7 Ayes.

OTHER BUSINESS

Consider the purchase of Axon Body Camera System for use by the Police Department in an amount not to exceed $47,000 (item removed from Consent Agenda).

Council member Reed thanked Chief Lee for the detailed Agenda Commentary prepared for Council.

Council member Starkey moved to approve the purchase of Axon Body Camera System for use by the Police Department in an amount not to exceed $47,000. Seconded by Council member Sanger; motion to approve carried on a vote of 7 Ayes.

Consider Resolution 16-R-28; establishing a code of conduct for elected and appointed officials.
This resolution derived from the City Council retreat held on Saturday October 29, 2016 facilitated by Joe Gonzales. The Council as a whole reviewed the proposed resolution in great detail. A few revisions have been made at the request of members of Council:

- **Respect for Process.** Amended the verbiage *"even when the member has voted in the minority"*.

- **Conduct Business in Open.** Added the verbiage *"Members will not use "electronic communication devices" to communicate either internally or externally during meetings."*

- **Use of Electronic Devices.** Amended the verbiage *"Members will not use electronic devices other than what is necessary for conducting business during a meeting. Members will not text, email, make phone calls, use social media, and play games during the course of a meeting."*

- **Smoking or Use of Tobacco Products.** Added the verbiage "*Members will not smoke or use tobacco products, electronic cigarettes and/or smokeless tobacco during the course of a meeting.*"

- **Use of Alcohol.** Added the verbiage "*Members shall not be impaired due to the use of alcohol prior to or while conducting city business in a meeting.*"

- **Representation of Private Interests.** Amended the verbiage "*In keeping with their role as stewards of the public interest, members of Council shall not appear or speak specifically on behalf of the private interests, including both private and nonprofit entities, of third parties before the Council or any board, commission or proceeding of the City in, nor shall members"* of boards or commissions appear before their own bodies or before the Council on behalf of the private interests of third parties on matters related to the areas of service of their bodies.

- **Political Endorsements.** Added the verbiage *"When publicly endorsing a candidate for any elected office, members will not use their title as a councilman, board or commission member nor use a city meeting forum to endorse a candidate. Council is prohibited from endorsing any candidate for city elections as it is deemed inappropriate."*

Council member Thompson moved to approve Resolution 16-R-28; establishing a code of conduct for elected and appointed officials. Seconded by Council member Richards; motion carried on a vote of 7 Ayes.

Consider various appointments to boards and commissions.

Terms will expire for various for various citizen boards committees, and commissions on December 31, 2016.

All board or commission members whose term expires in December, 2016 were mailed a letter of notification along with a Consent and Willingness to Serve form. Volunteer recruitment ads were published in the Alvin Sun and the City's monthly newsletter, and notifications were pushed out via the city's social networks. Members appointed during tonight's process will begin service in January 2017. All residency requirements have been verified.

Staff suggests that Council have a time of discussion to decipher which appointments should be made to specific boards/commissions. Once a general consensus is agreed upon motions can be made for appointments for each board/commission.

Discussion was had on the appointments to the various boards and commissions.

PLANNING COMMISSION: City Charter calls for 5-15 members, resident, 3 year terms.

- Board currently comprised of 9 members (including termed members).
- Council can choose to not reappoint the 2 termed members, and leave the commission at 7, or reappoint the 2 termed members, keeping the board at 9, or may appoint up to 15 members.
- Current Applicants:

Santos Garza *	Nicole Kelinske
Randy Reed *	Jake Starkey
	Carrie Parker (applied to serve where needed)

*indicates termed members reapplying

Council member Adame moved to appoint Santos Garza, Randy Reed, Nicole Kelinske and Jake Starkey to serve a 3-year term on the Planning Commission. Seconded by Council member Arendell; motion carried on a vote of 7 Ayes.

PARKS AND RECREATION BOARD: City Charter calls for 7 members, 2 year terms, resident, qualified voter with interest in leisure time.

- Board currently comprised of 7 members (including termed members).
- 4 seats open.
- Current Applicants:

Terrie Beasley *	P.W. Henny
	Kerry Ulm (also applied to serve on Planning)
	Carrie Parker (applied to serve where needed)

*indicates termed members reapplying.

Council member Adame moved to appoint Terrie Beasley, Debra Palin, Kerry Ulm and Carrie Parker to serve a 2-year term on the Parks and Recreation Board. Seconded by Council member Arendell; motion carried on a vote of 7 Ayes.

SENIOR CITIZENS BOARD: Ordinance calls for 7 members, 2 year terms.

- Board currently comprised of 7 members (including termed members).
- 4 seats open.
- Current Applicants:

Darrell Brady *	Marie Hodges
Beverly Kimbrough *	Carrie Parker (applied to serve where needed)
Nell Shimek *	

*indicates termed members reapplying

Council member Adame moved to appoint Darrell Brady, Beverly Kimbrough, Nell Shimek and Marie Hodges to serve a 2-year term on the Senior Citizens Board. Seconded by Council member Starkey; motion carried on a vote of 7 Ayes.

PUBLIC LIBRARY BOARD: Ordinance calls for 7 members, at least 5 members must reside within the corporate limits of the city, 2 members may be appointed from the Alvin area in Brazoria County, provided that such members have resided within such area for at least 1 year preceding their appointment, 3 year terms.

- Board currently comprised of 7 members (including termed members).
- 2 seats open.
- Current Applicants:

Shandar Hobbs *	Carrie Parker (applied to serve where needed)

*indicates termed members reapplying

Council member Adame moved to appoint Shandar Hobbs and Carrie Parker to serve a 3-year term on the Alvin Public Library Board. Seconded by Council member Arendell; motion carried on a vote of 7 Ayes.

BUILDING BOARD OF ADJUSTMENTS AND APPEALS: Ordinance calls for 5 members, 2 year terms.

- Board currently comprised of 5 members (including termed members).
- 4 seats open.
- Current Applicants:

Santos Garza *	Missy Jordan
Sussie Sutton *	Carrie Parker (applied to serve where needed)
Martin Vela *	

*indicates termed members reapplying

Council member Adame moved to appoint Santos Garza, Sussie Sutton, Martin Vela and Missy Jordan to serve a 2-year term on the Building Board of Adjustments and Appeals. Seconded by Council member Arendell; motion carried on a vote of 7 Ayes.

ANIMAL SHELTER ADVISORY COMMITTEE: Ordinance calls for 7 members, at least 1 licensed veterinarian, 1 city official, 2 members whose duties include the daily operation of an animal shelter, 1 representative from an animal welfare organization, and 2 citizens who will reside within the city limits of Alvin, 3 year terms.

- 1 seat open for the animal welfare organization position
- Current Applicants:

Becky Noerr *	Representative from animal welfare organization

*indicates termed members reapplying

Council member Adame moved to appoint Becky Noerr to serve a 3-year term fulfilling the animal welfare organization requirement on the Animal Shelter Advisory Committee. Seconded by Council member Starkey; motion carried on a vote of 7 Ayes.

REPORTS FROM CITY MANAGER

Review preliminary list of items for next Council meeting.

Ms. Breland reviewed the preliminary list for the December 15, 2016 City Council meeting.

Items of Community Interest.

Mrs. Roberts reviewed items of community interest.

REPORTS FROM COUNCIL MEMBERS

Announcements and requests from Council members.

Council member Thompson thanked all those who applied and serve on the city's boards and commissions.

Council member Reed wished everyone a safe and happy holiday. He reported that he will not be at the December 15, 2016 meeting.

Council member Arendell stated that he will not be able to ride in the Home for the Holidays parade.

Council member Adame thanked all those who volunteer to serve on the City's boards and commissions. He also encouraged citizens to shop local. Council member Adame expressed his condolences to Fire Chief Klesel and his family.

Council member Starkey expressed his condolences to Fire Chief Klesel and his family. He thanked citizens who volunteer to serve on the City's boards and commissions. Council member Starkey thanked members of staff for their work in putting up the Christmas decorations around town.

EXECUTIVE SESSION

Mayor Horn called for an executive session at 7:37 p.m. in accordance to the following:

A. Section 551.072 of the Government Code: Deliberation regarding the purchase, exchange, lease or value or real property.

B. Section 551.074 Deliberation on the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing.

1. Discuss the evaluation of city attorney.

RECONVENE TO OPEN SESSION

Mayor Horn reconvened the meeting into open session at 9:06 p.m.

Consider action, if any, on item(s) discussed in Executive Session.

No Action taken.

ADJOURNMENT

Council member Adame moved to adjourn the meeting at 9:06 p.m. Seconded by Council member Arendell; motion to adjourn carried on a vote of 7 Ayes.

PASSED and APPROVED this 15 day of December, 2016.

Paul A. Horn, Mayor

ATTEST:

Dixie Roberts, City Clerk